



Louisiana Housing Finance Agency

The following resolution was offered by Commissioner Katie Anderson and seconded by Commissioner Joseph M. Scontrino, III:

RESOLUTION

A resolution authorizing Kathleen A. Dorgan, AIA, LEED-AP with Judith Kinnard, FAIA to review and score the Superior Design submittal for Hanover Apartments, located at the corner of 72nd Avenue and Howell Blvd., Baton Rouge, East Baton Rouge Parish, Louisiana; and providing for other matters in connection therewith.

WHEREAS, the Louisiana Housing Finance Agency (the "Agency") has been ordered and directed to act on behalf of the State of Louisiana (the "State") in allocating and administering programs and/or resources made available pursuant to Section 42 of the Internal Revenue Code; and

WHEREAS, on April 19, 2011 the Agency issued a Request for Proposals for Architect, attached as "Exhibit A", for the review of Superior Design submittals during the 2011/2012 Low Income Housing Tax Credit Funding Round, in which Kathleen A. Dorgan, AIA, LEED-AP with Judith Kinnard, FAIA's proposal was scored and ranked among the final three top submittals; and

WHEREAS, Agency's staff seeks approval to authorize Kathleen A. Dorgan, AIA, LEED-AP with Judith Kinnard, FAIA to review and score the Superior Design submittal for Hanover Apartments due to an identity of interest between Hanover Apartments and a member of Le Architect, LLC as disclosed in the correspondence dated August 26, 2011 attached as "Exhibit B".

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Louisiana Housing Finance Agency (the "**Board**"), acting as the governing authority of said Agency that:

SECTION 1. The Board approves the awarding of a contract to Kathleen A. Dorgan, AIA, LEED-AP with Judith Kinnard, FAIA to review and score the Superior Design submittal for Hanover Apartments subject to satisfactory negotiation between staff and the firm pursuant to the

requirements of the Request for Proposals and not to exceed two thousand dollars (\$2,000.00) for superior design review.

SECTION 2. Agency's staff and counsel are authorized and directed to prepare such documents and agreements as may be necessary to carry out the directive of the Board.

SECTION 3. The Chairman, Vice Chairman, President, Vice President and/or Secretary of the Agency be and they are hereby authorized, empowered and directed to execute any forms and/or documents required to be executed on behalf of and in the name of the Agency, the terms of which are to be consistent with the provisions of this resolution as approved by the Agency's General Counsel.


This resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Guy T. Williams, Michael L. Airhart, Katie Anderson, Adena R. Boris,
Jerome Boykin, Sr., Mayson H. Foster, Neal P. Miller, Joseph M.
Scontrino, III, Donald B. Vallee, Elsenia Young

NAYS: Frank H. Thaxton, III

ABSENT: Allison A. Jones, John N. Kennedy

And the resolution was declared adopted on this, the 14th day of September, 2011.



Chairperson



Secretary

STATE OF LOUISIANA

PARISH OF EAST BATON ROUGE

I, the undersigned Secretary of the Board of Commissioners of the Louisiana Housing Finance Agency (the "Agency"), do hereby certify that the foregoing two (2) pages constitute a true and correct copy of a resolution adopted by said Board of Commissioners on September 14, 2011, entitled: "A resolution authorizing Kathleen A. Dorgan, AIA, LEED-AP with Judith Kinnard, FAIA to review and score the Superior Design submittal for Hanover Apartments, located at the corner of 72nd Avenue and Howell Blvd., Baton Rouge, East Baton Rouge Parish, Louisiana; and providing for other matters in connection therewith."

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of the Agency on this, the 14th day of September 2011.


Secretary

(SEAL)

**LOUISIANA HOUSING FINANCE AGENCY
LOW INCOME HOUSING TAX CREDIT PROGRAM
Architect's Review of Proposed Affordable Housing
Developments for Superior Design**

**REQUEST FOR PROPOSALS
April 19, 2011**

Key Proposal Dates

Date Issued:	April 19, 2011
Last Day to Submit Proposals:	May 4, 2011

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I. ANNOUNCEMENT

**LOUISIANA HOUSING FINANCE AGENCY
REQUEST FOR PROPOSALS
April 19, 2011**

The Louisiana Housing Finance Agency (the "Agency") hereby gives notice that it is seeking proposals from architects for review of applications for Low Income Housing Tax Credits in which the applicant requests points for projects having "Superior Design" in comparison to other affordable housing developments and for supplying an opinion to the LHFA Board of Commissioners to review in determination of which projects qualify and to what extent as "Superior Designs."

A. Proposal Submittal Information

1. Interested parties may obtain a Request for Proposal (RFP) by submitting their Name, Street Address, City, State, Zip, Telephone Number, Fax Number, and e-mail address to LHFA at the address below or by visiting the LHFA's web page at www.lhfa.state.la.us

Louisiana Housing Finance Agency
2415 Quail Drive
Baton Rouge, LA 70808
Attn: Brenda Evans, Program Administrator
Re: Architect/Superior Design
Voice: 225.763.8700
Website: www.lhfa.state.la.us
E-mail: bevans@lhfa.state.la.us

2. Deadline for RECEIPT of proposals. Proposals in their entirety must be received at the Agency no later than 4:00 P.M. (CST) on **May 4, 2011**.
3. Proposals are to be submitted in PDF format via e-mail to architect@lhfa.state.la.us.
4. Proposals arriving after the deadline will not be accepted. Please be advised that proposals arriving after the 4:00 P.M. (CST) deadline will not be accepted for any reason. The proposer assumes the full responsibility of any costs incurred in responding to this RFP.

B. Distribution of RFP

Notice of this RFP is being distributed to individuals that the Agency believes may be interested in serving as architect for the purpose of this RFP. Notice of this RFP is being posted to the LHFA website at www.lhfa.state.la.us.

C. Proposal Requirements:

The Proposer shall respond to all requirements in accordance with the terms and conditions, description, information, instructions, and all sections and schedules:

1. Agree with the terms and conditions of this RFP.
2. Comply with the requirements of and submit information and documentation (including executed forms), as required by this RFP.
3. Properly execute the Proposal.
4. Be knowledgeable of, and comply with, applicable local, state, and federal laws, regulations, codes, permits and ordinances.
5. Be a licensed and registered architect in the State of Louisiana with at least three years post-licensure experience.
6. Be or have on staff a LEED certified architect.
7. Will be prohibited from working with any developer/development group that is submitting an application under the 2011/2012 QAP.
8. Meet and comply with all other requirements specified in this RFP.

D. Option to Reject Any and All Proposals

This announcement does not commit the Agency to award a contract or to pay costs incurred in the preparation of responses. Furthermore, the Agency reserves the right to accept or reject, in whole or in part, all proposals submitted and/or to cancel this announcement.

II. PURPOSE

A. Purpose of RFP

The Low Income Housing Tax Credit (LIHTC) is a dollar-for-dollar tax credit in the United States for affordable housing investments. It was created under the Tax Reform Act of 1986 (TRA86) that gives incentives for the utilization of private equity in the

development of affordable housing aimed at low-income Americans. LIHTC accounts for nearly 90% of all affordable rental housing created in the United States today.

Through the issuance of a Qualified Allocation Plan, LHFA provides applicants the ability to compete for a tax credit reservation. One point category in the current Qualified Allocation Plan is for projects with "Superior Design." **This standard is not defined and will be determined subjectively by the architect chosen as the result of this RFP and the LHFA Board of Commissioners.**

"Superior Design" might include creative designs achieving functional objectives which are meritorious to the LHFA, the community in which the project is located, and/or the tenants who will be residing in the development. "Superior Design" should go beyond the norms currently published in the current Qualified Allocation Plan and should not reflect any duplication of selection criteria points as outlined in the 2011/2012 Qualified Allocation Plan. The draft Qualified Allocation Plan may be found at the Agency's web site at www.lhfa.state.la.us.

LHFA is seeking a qualified architect (or architect team) to review documentation for each applicant requesting points for "Superior Design" and to provide standards for what constitutes "Superior Design" in affordable housing. The chosen architect will be required to hold a "Superior Design" workshop for all developers interested in applying for the Superior Design category. The chosen architect will review all applications applying for the Superior Design category and will make written recommendations to the LHFA Board of Commissioners about whether or not the design should be designated a "Superior Design" in comparison to other affordable housing designs and assign a point designation between 0 (zero) and 10 (ten) to each submitted project. The chosen architect will prepare a narrative that expands upon the justification of projects designation as "Superior Design." The chosen architect will also be expected to participate in the LHFA Board of Commissioners' meetings on September 14, 2011 and November 9, 2011 and/or any other meeting in which the architect's findings will be the subject of discussion. In addition, if there are any legal challenges, the Architect will be expected to provide testimony about his or her determinations without additional charge to the LHFA.

The costs per applicant cannot exceed two thousand dollars.

All architectural review services and written opinions regarding whether or not the architect believes that the designed proposed are superior to other affordable housing developments must be completed by September 1, 2011 to comply with LIHTC program timelines. All work under this contract should be concluded by December 31, 2011. The selected architect shall submit all invoices in writing to Brenda Evans and will be paid within thirty days approval of the invoices.

B. Evaluation Procedures

All RFP submissions will be reviewed to determine if they meet the mandatory proposal requirements. Those RFP submissions not meeting the mandatory requirements will be

deemed “non-responsive”. The “responsive” RFP submittals will be evaluated and ranked.

The Agency reserves the right to not make a selection of “responsive” proposals should it believe that respondents to the RFP will be incapable of delivering the necessary level of services within the acceptable price range and/or time period. The Agency also reserves the right to reject any and all proposals submitted in response to the RFP and to enter into negotiations with the respondents to the RFP as may be necessary or appropriate to refine the scope of services, fee arrangements, or any other aspect of the services to be provided hereunder. The Agency reserves the right to negotiate any line item on the proposal.

LHFA reserves the right to award the applicant that provides LHFA the most effective combination of qualifications, services to be provided, understanding of the services needed, demonstration of the ability to identify and analyze key issues, assurances and availability of key personnel and costs.

The Agency will produce public records within the restraints of LA. R. S. Title 44.

III. PROPOSAL GUIDELINES

A format for the contractor's response to this Request for Proposals is indicated below. These guidelines are intended to facilitate the review and evaluation of the contractor's responses. Contractors are required to follow these guidelines. Contractor will be graded on each category set forth in the guidelines. Overly lengthy proposals are discouraged; however, the proposal at a minimum shall include the information listed below. The response shall not be longer than ten (10) pages single spaced in twelve (12) point font.

A. Guidelines shall include:

1. Proposer's complete name, business address, telephone number and e-mail address as well as the name, mailing address, telephone number, and e-mail address the Agency should contact regarding the proposal.
2. A description of the proposer's organization, if applicable, including longevity, client base, areas of specialty and expertise and any other pertinent information that will assist in formulating an opinion about the architect's experience. Please specify any qualifications which would demonstrate the proposer's capacity to determine “Superior Design.”
3. A listing of all affordable housing experience the architect has had in the last ten years, if any.
4. Three (3) references for which proposer performed similar services of similar scope over the past three years. Include the organization name and address, name and telephone number of the contact person, and a brief description of the services performed.

5. A plan and specifications for implementation of the services, including in detail the manner and mechanisms the architect will use to determine “Superior Design.”

B. Contact Prohibitions

It is the express policy of the Agency that prospective respondents to this RFP refrain from initiating any direct or indirect contact or communication with Agency staff or members of the Agency’s Board of Commissioners with regard to selection of the contractor. Any violation of this policy will be considered a basis for disqualification.

In addition, the selected architect should refrain from discussing his or her findings about which projects are “Superior Design” with anyone other than the LHFA staff or LHFA Board Members. In no instance should the architect discuss his determinations with project developers without the express written approval of the LHFA.

IV. SELECTION CRITERIA (Maximum of 100 points)

1. Qualifications and Experience (Maximum of 40 points)

Describe experience and all applicable certifications, credentials and awards. Please attach resume. Describe in detail applicable experience in regards to similar services rendered. Please include the following items:

- a. Location and size of architectural projects,
- b. Number of years of operation,
- c. Organizational structure,
- d. Number of years experience providing similar architectural services,
- e. List of current clients and number of years in service, and
- f. Number of years in practice and include a description of types of projects including size of projects, and other relevant information.

2. Implementation (Maximum of 50 points)

Describe in detail the methodology that will be utilized in determine what will constitute “Superior Design” on the proposed projects with projected timelines that conform with those stated in the RFP. Please be as specific as possible about how you would determine which projects would earn the “Superior Design” designation and the criteria that you would establish for this point category.

3. Presence in State of Louisiana (Maximum of 10 points)

Describe in detail the extent of your presence in Louisiana in terms of physical locations, employment of Louisiana citizens, utilization of Louisiana resources and economic benefit to Louisiana.



August 26, 2011

To: **Ms. Brenda Evans**
LOUISIANA HOUSING FINANCE AGENCY
2415 Quail Dr.
Baton Rouge, LA 70808

Fr.: **Phong Le, AIA, LEED AP**
& Ken Jones, AIA, NCARB, GMB

Re: **LHFA Superior Design Architect Review**
Disclosure of Ownership Interest
& Plan to Avoid Conflict of Interest

Dear Ms. Brenda,

The Humanities Foundation, a non-profit housing development organization, is proposing to build apartment homes in Baton Rouge. The project is called Hanover Apartments and they have selected a site located on the corner of 72nd Avenue and Howell Boulevard. The purchase agreement was executed on August 25th, 2011 with Howell Airport Development, LLC, a company in which I own an interest. Through our realtor I found out yesterday that The Humanities Foundation may apply for low income tax credits through the program administered by the Louisiana Housing Finance Agency.

In the interest of transparency, I hereby disclose that I own a ten-percent interest in Howell Airport Development, LLC. Please note that until advised by our realtor, I had no knowledge that the purchasers intended to apply to LHFA.

After discussing this matter with Mr. Ken Jones, we are providing you with this disclosure and with our plan to help mitigate and/or avoid any conflicts of interest. Since we are involved in the design, construction and development businesses, it is virtually impossible to avoid conflicts a 100-percent of the time in the Baton Rouge area. The scoring card matrix and checklists have significantly standardized the scoring process with there being a formula in place to give points to each category to generate points for Superior Design. These procedures will provide for a

level playing field for scoring all proposed projects. We propose that should The Humanities Foundation actually makes application to LHFA, I will recuse myself from reviewing this project from the beginning to end. Accordingly, Mr. Ken Jones and other members of the team will visit this site and he will head up the review team assigned to this project. If Humanities follows through with their application, I will not discuss nor will I be involved in any way with the review of this project.

If it is recommended by your counsel, I will provide an "Affidavit of No Involvement" setting forth these particular facts which demonstrate our professionalism and commitment to provide unbiased review of those projects entrusted to us by LHFA.

Please let us know if this satisfactorily sets forth your understanding of the disclosure of the ownership interest and attempt to avoid any perceived conflict of interest. Mr. Ken and I would be glad to meet with you and Leslie, if you feel this matter warrants further discussion.

Sincerely,

Phong Le, AIA, LEED AP
LE ARCHITECT, LLC